REMARKS

Introduction

The August 24, 2004 Office Action has been reviewed and its contents carefully noted. Reconsideration of this case, as amended and in view of the arguments made herein, is respectfully requested. Claims 1 through 9 and Claim 11 are currently pending. By this Amendment, Claims 1, 5 and 7 have been amended and Claim 10 has been cancelled. Applicants maintain that this Amendment is supported by the application, as originally filed, and respectfully requests that this Amendment be entered. Early and favorable action is earnestly solicited.

Rejection Under 35 U.S.C. § 103(a)

Claims 1 through 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson, et al., U.S. Patent No. 4,727,360 in view of Stafford, et al., U.S. Patent No. 5,482,008. The Examiner acknowledged that Ferguson does not disclose a core comprising a coil receiving portion and an electronics support portion. The Examiner alleged, however, that Stafford discloses a core with a receiving coil portion and an electronics support portion for a smaller device like a tag. The Examiner then concluded that it would have been obvious to one skilled in the art at the time of the invention to combine the coil and core disclosed in Stafford with the tag disclosed in Ferguson.

Applicants maintain that the claimed invention is patentable over Ferguson in view of Stafford. As the Examiner acknowledged, Ferguson does not disclose a core comprising a coil receiving portion and an electronics support portion. The disclosure of Stafford does not cure the deficiencies of the Ferguson disclosure. Neither Ferguson nor Stafford disclose the use of a unitary core which comprises a coil receiving portion for receiving an antenna coil and an

electronics support portion for containing or housing an electrical connection between an integrated circuit and/or a capacitor and the antenna coil. Additionally, neither Ferguson nor Stafford discloses an integral pair of metalization layers or pads to which the antenna coil is connected as recited in Claim 3. At column 4, lines 40 through 41, Ferguson discloses a "core 10 that includes an elongated thin flat ribbon of low-coercivity amorphous magnetic material". At column 7, lines 21 through 25, Stafford discloses a device comprising a "microchip code circuit 5 for the identification code and a thermistor microchip 32 for temperature monitoring, both mounted on a card 33, together with a coil 6 of copper wire wound on a ferrite rod 34". In contrast, the claimed invention includes a unitary core comprising a cylindrical portion for receiving the antenna coil at one end and a flattened portion for permitting or housing the electrical connection between the integrated circuit and/or capacitor and the antenna coil at the other end. Additionally, the flattened portion of the claimed invention can be formed with an integral pair of metalization layers or pads to which the antenna coil can be connected.

The claimed invention is patentable over Ferguson in view of Stafford because the claimed invention (at Claim 3) provides metalization layers on the core itself and the metalization layers enable an integrated circuit or capacitor to be easily electrically connected to the metalization layers in any of a variety of methods recognized in the art. Based on the unitary metalization core construction, the antenna of the claimed invention can be directly connected to the ferrite core and does not require a printed circuit board or any other mounting part. The core construction provides support for the integrated circuit board or capacitor, which, in turn, provides for a quicker and more cost-effective manufacturing process because the core construction eliminates the need for a printed circuit board.

The manufacturing process of passive integrated transponder tags known in the art, including those disclosed in Ferguson and Stafford, comprises many steps. One step in the manufacturing process requires that the housing containing the electronics components be mounted into a single unit which is then connected to the antenna coil. The manufacturing process of the claimed invention omits these steps because the antenna coil can be connected directly to the metalization layer in the core, i.e., the lead portions 24 can be welded directly to the metalization layers 26 as shown in FIGS. 8 through 10 of the application (p. 11, paragraph 39). Accordingly, the manufacturing process of the claimed invention provides for a quicker more cost efficient construction because the construction eliminates the need for a printed circuit board or other mounting part.

The claimed invention is patentable over Ferguson in view of Stafford because the claimed invention, in addition to providing an easier manufacturing process, provides a flexible manufacturing process. As discussed above, as in the preferred embodiment of the claimed invention, the electronics support portion can support a metalization layer; in such embodiment, as discussed above, the lead portions of the antenna coil are directly coupled to the metalization layers. However, in addition, the electronics support portion can support a printed circuit board (PCB). In such an embodiment, electrical pads on the PCB would electrically couple the lead portions of the antenna coil to a capacitor, if necessary, and the integrated circuit (p. 12, paragraph 41). Accordingly, the manufacturing process of the claimed invention provides for a more flexible manufacturing process which allows the manufacturing to determine which construction is more cost-effective and efficient.

Accordingly Applicants respectfully request favorable reconsideration and withdrawal of these rejections.

Double Patenting

Claims 1 through 11 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,400,338 (which is the parent to the instant application).

The Terminal Disclaimer filed with the Amendment dated June 25, 2004 was objected to because it signed by registration number 43,531 who is an attorney or agent not of record and is not authorized to sign a terminal disclaimer.

In response, Applicants submit herewith a Terminal Disclaimer to the parent application, U.S. Patent No. 6,400,338, which has been executed by an attorney or agent of record. Accordingly, favorable reconsideration and withdrawal of this rejection is respectfully requested.

Previous Arguments

In the Response to Arguments of the Office Action, the Examiner alleged that the arguments set forth in the Applicants' June 25, 2004 Amendment are not persuasive. The Examiner alleged that the "claims do not recite a cylindrical portion for receiving the antenna coil at one end and a flattened portion for permitting or housing the electrical connection". The Examiner also alleged "[w]hile the core may comprise an electronics support portion, it is not recited that the electronics support portion is made from ferrite".

Applicants respectfully maintain that the Claims and Specification as originally filed disclose a core having a cylindrical portion for receiving the antenna coil and a flattened portion for housing an electrical connection. Applicants also respectfully maintain that the Claims and Specification as originally filed disclose an electronic support portion made from ferrite.

In response to the Response to Arguments, in an attempt to advance the prosecution of the subject application, but without conceding either the correctness of the Examiner's position

or the need for amendment, Applicants have amended Claim 1 to recite "a coil receiving portion for receiving an antenna coil and an electronics support portion for supporting an electrical connection, wherein said coil receiving portion and said electronics support portion are comprised of magnetic ferrite".

Accordingly, in view of the foregoing amendment and the remarks set forth above, Applicants respectfully request reconsideration of the subject application.

Conclusion

Applicants believe that the Claims in the present invention are in condition for allowance. Applicants respectfully request reconsideration of the present application in view of the foregoing remarks.

Any additional fees or charges necessary in connection with the present application are hereby authorized to be charged to Deposit Account No. 19-4709.

Respectfully submitted,

43,531

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